LOCAL NEWS

Denver mayor and staff used encryption app to discuss migrant crisis, then auto-deleted messages. Trump policies prompted move, says spokesperson

By Brian Maass
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Denver Mayor Mike Johnston

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Denver Mayor Mike Johnston

A spokesperson for Johnston said the Signal messaging was prompted by President Trump and former Biden administration "could have significant impacts on how Denver operates."

It's unlawful and it's breaking the law," said Steven Zansberg, a Denver attorney who specializes in First Amendment and open records laws, who reviewed some of the records, obtained by CBS News Colorado.

Jeff Roberts, director of the Colorado Information Security Agency, which characterized what the CBS investigation found as a misunderstanding, referred to Colorado's open records law.

"This is not transparent," said Roberts.

According to Johnston's daily calendar, obtained through the open records request, on Jan. 16, 2025, he convened a "Signal Setup" meeting with his staff. The following day, Jan. 15, text messages obtained by CBS News Colorado via an Open Records Act request show Johnston's staff discussing how to set up Signal.

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Signal is a messaging app that encrypts communications and also automatically deletes messages after a specified amount of time ranging from 30 seconds to four weeks. The city has confirmed that Johnston's group was auto-deleting their Signal messages. Johnston's spokesperson said the auto-deletion were "in line" with the city's record policy, which is to retain the messages for four weeks. And then on Jan. 29 they disabled the deletion function entirely.

The mayor's spokesperson, Jordan Fuja, said the Signal group was created in part to use when there are relevant updates that need immediate action.

She declined to make the mayor or anyone else available for an interview on the Signal controversy.

The Johnston administration's move to make their communications more difficult to access came about three weeks after Homeland Security Secretary Kristi Noem's illegal group, filed requests with Johnston and his administration seeking city records on communications related to the city's immigration issues. Part of the request demanded, "All records, texts, communications, calendar entries, and documents concerning or relating to Mike Johnston, Mayor since November 1, 2024."

In a written statement, Fuja said the move to Signal was because, "When President Trump took office in January, it was clear that there would be rapidly developing issues and that we would be processing interacts with cities that could have significant impacts on how Denver operates. The particular group we started on Signal was created in order to keep track of and share information regarding federal actions that impact Denver outside the new administration."

CBS Colorado's Brian Maass interviews Jeff Roberts, director of the Colorado Information Security Agency, on March 28, 2025.

Roberts said the internal text messages and move to Signal show "they are giving the impression that we are doing something we don't want the public to see. The city is saying at the app that the records are public should never see." He suggested the Johnston administration was intentionally "concealing, hiding."

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Zansberg, who specializes in open records issues, said what was done was "unlawful and breaking the law" and it deprives us of the rights we have as Coloradans to understand how our government works.

He suggested the automatic deletion of the Strike Force conversations likely violated Denver's data retention policies.

"Typically three years is the standard records retention," said Zansberg.

The mayor's spokesperson disputed that, saying "The city's retention schedule does not obligate city employees to retain electronic mail messages."

In another text conversation between Acting Denver City Attorney Katie Ehrlich Sanchez and the mayor's Chief of Staff, John Regeher, McLaughlin writes, "Signal says you're in it'll ask josh to resend invite." Ridder responds, "Haven't heard anything." In another point, Johnston's staff sees the mayor's chief of staff, asking "are we in signal?" Johnston's staff responds, "Yes."

CBS Colorado's Brian Maass interviews Jeff Roberts, director of the Colorado Information Security Agency, on March 28, 2025.

Zansberg said, "It seems like a pretty plain, straightforward, deliberate effort to evade transparency."

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After he was elected mayor, Johnston cited transparency as one of his guiding principles.

The move to the encrypted messaging app also came a month after the mayor's office and Johnston's staff moved into the Information Security Chief not to use Signal.

In a Dec. 11, 2024, email from Denver Chief Information Security Officer Merlin Nasseth shared with McLaughlin and several other mayoral staff members and appointees, Nasseth discussed the use of encrypted messaging apps and said, in part, "Signal is the only app approved for use only. Please avoid using these applications for city work."

At least two of Johnston's appointees – Police Chief Ron Thomas and Manager of Public Safety Amanda Saldaa – were asked by the mayor's office to join Signal and both did so. Both declined to speak with reboffed the mayor's invitation and declined to join, according to the CBS News Colorado Investigation. Fuja claimed "The group was created by Sanchez to share information sharing, not actionable directives, so there was no need for safety leaders to be a part of it."

Records show, though, that safety leaders Thomas and Sanchez, Police Chief Paul Mueller, Denver's emergency manager, and Wendy Shea, an attorney for the Fire Department of Safety, were asked to join Signal.

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Zansberg said what is now being revealed "is ultimately very much a transparency, greater distrust and a loss of confidence."

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Brian Maass

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